

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel J. Pereira on 11/3/08.

The application has been amended as follows:

IN THE CLAIMS:

Claims 1-3 and 11-13 have been canceled.

In claim 4:

The text "... (I)" appearing to the right of the sole structural formula in the claim in has been replaced with "(II)"

In claim 6:

The text "... (II)" appearing to the right of the first structural formula in the claim in has been replaced with "(II)";

The text "... (III)" appearing to the right of the second structural formula in the claim in has been replaced with "(III)";

The text "... (IV)" appearing to the right of the third structural formula in the claim in has been replaced with "(IV)".

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The adamantane derivative of claim 4 has been found to be novel. Since the adamantane derivative of claim 4 is an intermediate compound that can be further modified by a reaction with a nucleophile, the search of prior art included a search for compounds that are chemical equivalents of the claimed compound particularly, where a halogen atom replaces the sulfonated moiety in the instantly claimed compound of formula (II). No such structures have been uncovered. Closest art (WO 03/104182; cited in IDS) teaches the compound of formula (II) where the sulfonated group is replaced with ether moiety. The compounds of the WO document are prepared by a Grignard reaction which does not require the instantly claimed compound as an intermediate. It is therefore not obvious to make the required modifications to the compounds of the WO document in order to arrive at the instantly claimed compound.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Claims 4-10 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yevgeny Valenrod whose telephone number is 571-272-9049. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Sullivan can be reached on 571-272-0779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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